



Docket No.: **UIOWA-0055**

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

Confirmation No.: **1694**

**Johna LEDDY, Wayne L. GELLETT and  
Drew C. DUNWOODY**

Group Art Unit: **1745**

Serial No.: **10/684,802**

Examiner: **Alejandro, Raymond**

Filed: **October 15, 2003**

Customer No.: **34610**

For: **SELF-HYDRATING MEMBRANE ELECTRODE ASSEMBLIES FOR FUEL  
CELLS**

**INFORMATION DISCLOSURE STATEMENT**

U.S. Patent and Trademark Office  
Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, Virginia 22314

Sir:

Pursuant to 37 C.F.R. § 1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO-1449. One copy of each reference is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the indicated date. Applicant reserves the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered. This statement should not be construed as a representation that a search has been made, that information cited in the statement is considered to be and/or is material to patentability, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will consider information that was cited or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. §120. 1138 OG 37, 38 (May 19, 1992).

- ☐ 1. This Information Disclosure Statement is being filed (i) within three months of the U.S. filing date of a U.S. application other than a CPA continued prosecution application under §1.53(d) OR (ii) within three months of the date of entry of the national stage as set forth in §1.491 in an international application OR (iii) before the mailing date of a first Office Action on the merits OR (iv) before the mailing of a first Office Action after the filing of a Request for continued examination under §1.114. No certification or fee is required. 37 C.F.R. §1.97(b).
- ☒ 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection OR Notice of Allowance OR an action that otherwise closes prosecution in the application. 37 C.F.R. §1.97(c).

- ☒ a. I hereby state that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(1). No fee is required.
- ☐ b. I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(2).
- ☐ c. Attached is our check no. \_\_\_\_\_ in the amount of \$180.00 in payment of the fee under 37 C.F.R. §1.17(p). Please credit or debit Deposit Account No. 16-0607 as needed to ensure consideration of the disclosed information. Two duplicate copies of this paper are attached.
- ☐ 3. This Information Disclosure Statement is being filed after the mailing date of a Final Rejection OR Notice of Allowance OR an action that otherwise closes prosecution in the application, but on or before payment of the Issue Fee. Attached is our check no. \_\_\_\_\_ in the amount of \$180.00 in payment of the fee under 37 C.F.R. §1.17(p). Please credit or debit Deposit Account No. 16-0607 as needed to ensure consideration of the disclosed information. Two duplicate copies of this paper are attached. 37 C.F.R. §1.97(d).
- ☐ a. I hereby state that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(1).
- ☐ b. I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(2).
- ☒ 4. The references were cited in a corresponding PCT communication. A copy of the PCT communication is enclosed.
- ☒ 5. To the extent necessary, a petition for an extension of time under 37 C.F.R. §1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

FLESHNER &amp; KIM, LLP



Donald R. McPhail, Esq.

Registration No. 35,811

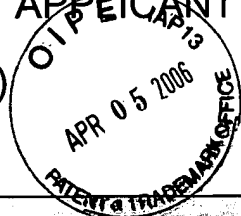
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**Please direct all correspondence to Customer Number 34610**

DRM/lm

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# LIST OF ART CITED BY APPLICANT (PTO-1449)


 ATTY. DOCKET NO.  
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10/684,802

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Johna LEDDY, Wayne L. GELLETT and Drew  
C. DUNWOODY

 FILING DATE  
October 15, 2003

 GROUP  
1745

## U.S. PATENT DOCUMENTS

| EXAMINER'S INITIALS | *PATENT NO. | *ISSUE DATE | *INVENTOR NAME | CLASS | SUBCLASS | FILING DATE |
|---------------------|-------------|-------------|----------------|-------|----------|-------------|
|                     | 5,441,819   | 08/15/1995  | VOSS et al.    |       |          |             |
|                     | 4,826,741   | 05/02/1989  | ALDHART et al. |       |          |             |
|                     | 5,503,944   | 04/02/1996  | MEYER et al.   |       |          |             |
|                     |             |             |                |       |          |             |
|                     |             |             |                |       |          |             |
|                     |             |             |                |       |          |             |
|                     |             |             |                |       |          |             |
|                     |             |             |                |       |          |             |
|                     |             |             |                |       |          |             |

## U.S. PATENT APPLICATION PUBLICATIONS

|  | *PATENT APPLN. PUB. NO. | *PUB. DATE | *APPLICANT | CLASS | SUBCLASS |  |
|--|-------------------------|------------|------------|-------|----------|--|
|  |                         |            |            |       |          |  |
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## U.S. PATENT APPLICATIONS

|  | *APPLN. NO. | *FILING DATE | *INVENTOR | CLASS | SUBCLASS |  |
|--|-------------|--------------|-----------|-------|----------|--|
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|  |             |              |           |       |          |  |
|  |             |              |           |       |          |  |

## FOREIGN PATENT DOCUMENTS

| EXAMINER'S INITIALS | PATENT NO. | DATE | COUNTRY | CLASS | SUBCLASS | Translation |    |
|---------------------|------------|------|---------|-------|----------|-------------|----|
|                     |            |      |         |       |          | Yes         | No |
|                     |            |      |         |       |          |             |    |
|                     |            |      |         |       |          |             |    |
|                     |            |      |         |       |          |             |    |
|                     |            |      |         |       |          |             |    |
|                     |            |      |         |       |          |             |    |

## OTHER ART (Including Author, Title, Date, Pertinent Pages, Publisher, Place of Publication, Etc.)

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EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

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